

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF OKLAHOMA**

In Re:)	
)	
JAMIE E. QUIGLEY)	
AKA KIMBERLY RACHELLE-KILGORE)	
QUIGLEY)	
AKA JAMIE EUGENE QUIGLEY)	
)	
KIMBERLY R. QUIGLEY)	
AKA KIM QUIGLEY)	
)	Case No. 21-10476-M
Debtors.)	(Chapter 13)

**CHAPTER 13 TRUSTEE’S MOTION TO DISMISS CASE
AND NOTICE OF OPPORTUNITY FOR HEARING**

COMES NOW Lonnie D. Eck, Standing Chapter 13 Trustee for the Northern District of Oklahoma, and moves the Court for an order dismissing this case and states as follows:

1. This case is presently pending as a case under Chapter 13, Title 11, United States Code.
2. The Debtors are over three (3) months delinquent in plan payments to the Trustee.
3. Under the terms of the confirmed plan in this case, the Debtors are required to timely file all income tax returns, immediately provide the Trustee with a copy of the returns, and upon receipt of any income tax refund, deliver the portion of the refund in excess of any earned income tax credit to the Chapter 13 Trustee as an additional payment under the Chapter 13 Plan.
4. To date, the Trustee’s office has not received a copy of the Debtors’ 2022 or 2023 federal and state income tax returns, or any portion of the Debtors’ 2022 or 2023 state and federal income tax refunds, if any exist.
5. The foregoing constitutes cause for dismissal of this case under 11 U.S.C. § 1307(c).

NOTICE OF OPPORTUNITY FOR A HEARING

Your rights may be affected. You should read this document carefully and consult your attorney about your rights and the effect of this document. If you do not want the Court to grant the requested relief, or you wish to have your views considered, you must file a written response or objection to the requested relief with the Clerk of the United States Bankruptcy Court for the Northern District of Oklahoma, 224 South Boulder Avenue, Tulsa, Oklahoma 74103 no later than 14 days from the date of filing of this request for relief. You should also mail a stamped copy of your response or objection to the undersigned movant/movant's attorney [and others who are required to be served] and file a certificate of service with the Court. If no response or objection is timely filed, the Court may grant the requested relief without a hearing or further notice. **The 14-day period includes the three (3) days allowed for mailing provided in Fed. R. Bankr. P. 9006(f).**

WHEREFORE, the Standing Chapter 13 Trustee prays that, after notice and an opportunity for hearing under Local Rule 9013-1(B), the Court enter an Order dismissing this case with jurisdiction being retained by the Court for purposes of concluding the administration of the case; and the Chapter 13 Trustee prays for such other relief as is just, equitable, and proper.

s/ Lonnie D. Eck

Lonnie D. Eck
Standing Chapter 13 Trustee
Northern District of Oklahoma
P.O. Box 2038
Tulsa, OK 74101-2038
Telephone: (918) 599-9901

CERTIFICATE OF SERVICE

I, Lonnie D. Eck, hereby certify that on the date the above and foregoing pleading was filed with the Court, in addition to those served electronically through the Court's CM/ECF system, a true and correct copy, along with evidence of electronic filing thereof, was mailed, by first-class mail, postage prepaid to each of the following:

Jamie E. Quigley
Kimberly R. Quigley
601 W. 10th Street
Chelsea, OK 74016

s/ Lonnie D. Eck
Lonnie D. Eck, Trustee